

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

DEAUNTE BULLITT,	)	CASE NO. 1:14 CV 999
Plaintiff,	)	JUDGE PATRICIA A. GAUGHAN
v.	)	
STATE OF OHIO,	)	<u>MEMORANDUM OF OPINION</u>
Defendant.	)	<u>AND ORDER</u>

On October 2, 2007, Plaintiff *pro se* Deaunte Bullitt filed this action against the State of Ohio. Plaintiff is an inmate at the Richland Correctional Institution, having been convicted of multiple offenses in the Cuyahoga County Court of Common Pleas in December 2013. *See, State of Ohio v. Bullitt*, Cuyahoga County Court of Common Pleas Case No. CR-12-565262-C, [http://cpdocket.cp.cuyahogacounty.us/CR\\_CaseInformation\\_Summary](http://cpdocket.cp.cuyahogacounty.us/CR_CaseInformation_Summary). The pleading initiating this action, entitled “Administrative Notice; In the Nature of Writ of Coram Nobis & a Demand for Dismissal or State the Proper Jurisdiction,” appears to claim that the trial court in Bullitt’s criminal case lacked jurisdiction. He therefore asserts that case “must be dismissed.”

A district court is expressly required to dismiss any civil action filed by a prisoner seeking relief from a governmental officer or entity, as soon as possible after docketing, if the court concludes that the complaint fails to state a claim upon which relief may be granted, or if the plaintiff seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. §1915A; *Siller v. Dean*, No. 99-5323, 2000 WL 145167 , at \*2 (6th Cir. Feb. 1, 2000).

Plaintiff is clearly challenging the validity of his state convictions and resulting confinement. When a prisoner challenges "the very fact or duration of his physical

imprisonment, ... his sole federal remedy is a writ of habeas corpus." *Preiser v. Rodriguez*, 411 U.S. 475, 501 (1973).

Accordingly, this action is dismissed under 28 U.S.C. § 1915A. The dismissal is without prejudice to any habeas corpus action filed by Plaintiff under 28 U.S.C. § 2254. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

/s/ Patricia A. Gaughan  
PATRICIA A. GAUGHAN  
UNITED STATES DISTRICT JUDGE

Dated: 9/8/14